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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM WOOD,

Plaintiff,

v.

KENNETH ZYDEL, Sergeant,

Defendants.

ORDER
08-CV-0064F

On January 5, 2009, the Court granted plaintiff leave to file an amended complaint (Docket No. 15), and on January 27, 2009, plaintiff filed an amended complaint, which, in addition to naming the one defendant who had already appeared in this action, Kenneth Zydel,¹ named “new” defendants—G. Monahan, Jane Doe, Corrections Counselor, and Jane and John Does, Corrections Officers at Wende Correctional Facility. (Docket No. 16). Accordingly, the Clerk of the Court is directed to cause the United States Marshals Service to serve the summons and amended complaint (Docket No. 16) on G. Monahan, Deputy Superintendent Security, Wende.

Additionally, the amended complaint, names Jane Doe, Correctional Counselor, and John and Jane Does, Correctional Officers at Wende Correctional Facility. Pursuant to Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997)(per curiam), the Court requests that the New York State Attorney General’s Office ascertain, as best it can, the full names of the John and Jane Doe correctional employees plaintiff seeks to sue. The Attorney General’s

¹The Court had previously dismissed, pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A, two other defendants who had been named in the original complaint—Glenn Goord and Robert Kirkpatrick. (Docket No. 5, Order).

Office is also requested to provide the addresses where all of these defendants can currently be served. The Attorney General's Office need not undertake to defend or indemnify these individuals at this juncture. This order merely provides a means by which plaintiff may name and properly serve the John and Jane Doe defendants as instructed by the Second Circuit in Valentin.

The New York State Attorney General's Office is hereby requested to produce to the Court's Pro se Office the information specified above regarding the identities of the John and Jane Doe defendants by **April 30, 2009**. Once this information is provided, plaintiff's amended complaint may be amended to reflect the full names of the defendants, summonses shall be issued and the Court shall direct service on the identified defendants.

SO ORDERED.

/s/ Leslie G. Foschio

LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE

Dated: March 18, 2009
Buffalo, New York